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**The Right to Food: International Discourse Versus Global Eradication of Hunger  
The Threat of Improper Food Aid and Land Acquisitions**

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## **I. INTRODUCTION**

Realizing the right to food has been a priority for the international community since the inception of the United Nations. However, there remains a large gap between the expansive discourse on the realization of the right to food and the implementation of the right to food. This paper examines the development of the right to food, the current reality of the right to food and how international policies such as food aid and land grabbing must be adjusted for the realization of the right to food.

## **II. THE INTERNATIONAL DISCOURSE ON THE RIGHT TO FOOD VERSUS THE REALIZATION OF THE RIGHT TO FOOD**

The right to food is a paramount human right that is necessary for the preservation of human dignity. The right to food is also inextricably linked to the realization of other human rights such as the right to health, life, water, and adequate housing.<sup>1</sup> Accordingly, the international community has repeatedly committed itself to the realization of the right to food beginning with the Universal Declaration of Human Rights in 1948.<sup>2</sup>

Later, the right to food was explicitly codified in the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>3</sup> In 1996, in the Rome Declaration on World Food Security, governments recommitted themselves to the realization of the right to food and pledged to halve the number of the world's hungry by 2015. This commitment was adopted by the General Assembly in 2000 in the United Nations Millennium Declaration. In response to requests for a clear definition of the right to food, the Committee on Economic, Social and Cultural Rights adopted General Comment 12.

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<sup>1</sup> UN Human Rights Fact Sheet #34 at p.6.

<sup>2</sup> Universal Declaration of Human Rights, Article 25.

<sup>3</sup> International Covenant on Economic Social and Cultural Rights, Article 11.

General Comment 12 outlined the three basic elements of the right to food: access, availability and adequacy.<sup>4</sup>

### **1. Defining Access, Availability and Adequacy in the Context of the Right to Food**

According to General Comment 12, access to food requires economic access.<sup>5</sup> Economic access requires food and/or food producing resources to be affordable to all. States can support economic access to food by guaranteeing minimum wage or social security that allows people to buy adequate food without compromising any of their other basic needs. Access to food also requires physical access. This means that all people, especially vulnerable groups and those living in remote areas, are able to procure food.<sup>6</sup>

The right to food also consists of the availability of food.<sup>7</sup> Availability requires food to be available through natural production such as cultivation or the raising of livestock. This requires that land and adequate resources are available. Availability also requires that citizens are able to purchase appropriate food in marketplace.

The final basic element of the right to food is adequacy. Adequacy requires that the food that is accessible and available also satisfies people's dietary needs.<sup>8</sup> This requires more than food that is safe for human consumption. In order for food to be adequate a person's age, living conditions, culture, religion, occupation, sex and geographical location must all be considered.

The Food and Agricultural Organization of the United Nations, assembled Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate

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<sup>4</sup> Committee on Economic, Social and Cultural Rights. General Comment 12. E/C.12/1999/5 (May 1999).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

Food in the Context of Food Security. These guidelines provide detailed recommendations to states on implementing the right to food. As suggested by their title, these guidelines are purely voluntary. However, the bodies of international law on the right to food that have developed since the Universal Declaration of Human Rights taken together have placed three types of obligations upon states: respect, protection, and fulfillment.<sup>9</sup>

## **2. The State's Responsibility to Respect, Protect and Fulfill the Right to Food**

First, the state's obligation to respect the right to food means the state must not implement any measure which would result in preventing the population's access to food.<sup>10</sup> The State must also assure that public institutions including the military do not interfere with people's access to food in any way. This obligation is increasingly implicated in the context of large-scale land acquisitions (discussed below) when forced evictions are carried out by government officials and military personnel.

Second, the State has an obligation to protect the right to food. The State must ensure that food put on the market is safe and nutritious. This requires monitoring of potentially harmful substances and practices. The State also has an obligation to protect the right to food against violations by third parties. This obligation is implicated in international aid agreements as well as in the context of land grabbing because the obligation to protect the right to food requires the State to take into account the right to food when entering into agreements with other States or international organizations.<sup>11</sup>

Third, the State has obligation to fulfill the right to food. This does not obligate the State to hand out food for free to its citizens. Such a policy would be counter

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<sup>9</sup> United Nations Human Rights Fact Sheet #34 at p.2.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 34.

productive because it would cause dependency and a decrease in food production. Rather, the State is required to be proactive in strengthening its people's access to and use of resources as a means of ensuring their livelihoods. Also included in the obligation to fulfill is the states responsibility to strength its populations ability to participate in the development process and decision making.

### **3. Current Status of the Realization of the Right to Food**

Despite the international community's commitment to the realization of the right to food and to halve the number of hungry by 2015, the problem of hunger continues to grow. The number of hungry in 1996 was 820 million.<sup>12</sup> By 2008, the number had risen to 923 million and finally reached over one billion in 2009.<sup>13</sup> The problem is one that concentrated in the developing world where one out of every six people is undernourished.<sup>14</sup> Similarly, children are especially vulnerable to hunger. More than one third of children who die each year before the age of five do so from hunger or hunger related illnesses.<sup>15</sup>

The problem of hunger is not due to insufficient food production or acute emergencies. Ninety percent of the world's hungry suffer as a result of long-term chronic lack of access to food.<sup>16</sup> The primary cause of hunger, according to the Special Rapporteur on the Right to Food, is poverty and lack of appropriate agricultural

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<sup>12</sup> De Schutter, Oliver and Cordes, Kaitlyn Y. "Accounting for Hunger: An Introduction to the Issues". *Accounting for Hunger*. Portland, Hart Publishing (2011) at p.1

<sup>13</sup> *Id.*

<sup>14</sup> Report of the Security General. *Agricultural Development and Food Security: Progress on the Implementaion of the Outcome of the World Food Summit on Food Security*. A/66/277 (August 2011) at para.19.

<sup>15</sup> *Id.* at para. 20.

<sup>16</sup> United Nations Human Rights Fact Sheet #34 at p.1.

development investment as well as many short sighted decisions.<sup>17</sup> These conditions can cause hunger in urban as well as rural areas but it is the rural populations that are the most severely affected. It is estimated that 80% of the world's hungry live in rural areas and that 50% of the world's hungry are small hold farmers.<sup>18</sup> It is the rural poor's right to food that is most affected by the misguided provision of food aid and the more recent phenomenon of land grabbing.

### **III. THE RIGHT TO FOOD AND INTERNATIONAL FOOD AID**

The ICESCR makes it clear that the realization of the right to food is not only the responsibility of individual states but also of the entire international community. Food aid has been the number one tool employed by the international community in fulfillment of its obligation to global realization of the right to food. However, food aid is not an end in itself and international assistance should be used to create conditions where aid is no longer needed. It should be used to improve food production in receiving countries, to preserve the environment and to improve trade conditions. Voluntary Guideline 15.1 provides:

“Donor States should ensure that their food aid policies support national efforts by recipient States to achieve food security, and base their food aid provisions on sound needs assessment, targeting especially food insecure and vulnerable groups. . . States should provide assistance in a manner that takes into account food safety, the importance of not disrupting local food production and the nutritional and dietary needs and cultures of recipient populations. Food aid should be provided with a clear exit strategy and avoid the creation of dependency. Donors should promote increased use of local and regional commercial markets to meet food needs in famine-prone countries and reduce dependence on aid.”

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<sup>17</sup> De Schutter, Oliver and Cordes, Kaitlyn Y. “Accounting for Hunger: An Introduction to the Issues” *Accounting for Hunger*. Portland, Hart Publishing (2011) at p.2.

<sup>18</sup> United Nations Human Rights Fact Sheet #34 at p.1.

## 1. Food Aid and Its Forms: Programme Food Aid and Emergency Food Aid

The primary forms of food aid are programme food aid and emergency food aid.

Programme food aid is in-kind food aid or the provision of commodities as opposed to funds or cash.<sup>19</sup> The food is typically grown within the donor country and then sold on the market of the recipient country. Unlike other forms of aid, programme food aid is not free. Rather, it is a type of international financial assistance linked to concessional loans with low interest rates.<sup>20</sup>

Programme aid is the type of aid implemented by the United State's Public Law 480 or the Food for Peace Programme. The purpose of the legislation was "permanent expansion of [United States'] ports of agricultural products with lasting benefits for (The United States) and people of other lands."<sup>21</sup> One of the effects it has on the United States and other donating countries is that it reduces the cost of storing surplus food by shipping it to receiving countries.<sup>22</sup> Programme food aid is no longer the dominant type of food aid but continues to be the most significant part of United States food aid.<sup>23</sup>

Emergency food aid accounts for the majority of food aid today.<sup>24</sup> Emergency food aid is free in-kind aid provided in specific situations: short-term assistance to developing countries which depend upon rain fed agriculture, short-term assistance to States where natural or man-made disasters have made food inaccessible and/or unavailable and finally to refugees and displaced persons. According to Voluntary

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<sup>19</sup> Moreu, loreto Ferrer. "Food Aid: How It Should Be Done". *Accounting for Hunger*. Portland, Hart Publishing (2011) at p. 252 .

<sup>20</sup> *Id.*

<sup>21</sup> *History of American Aid*. available at [http://www.usaid.gov/our\\_work/humanitarian\\_assistance/ffp/50th/history.html](http://www.usaid.gov/our_work/humanitarian_assistance/ffp/50th/history.html).

<sup>22</sup> Moreu, loreto Ferrer. "Food Aid: How It Should Be Done". *Accounting for Hunger*. Portland, Hart Publishing (2011) at. p. 252.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.* at 259.

Guideline 15.4, international emergency aid should take into account long-term rehabilitation and development objectives in receiving countries.

Food aid remains an important tool in the fight against global hunger but in-kind food aid actually poses a threat to the realization of the right to food because it is inefficient, wasteful, displaces local agriculture and is not development oriented. Finally, the practice of tying aid can be applied to all three forms of food aid. The tying of aid is the practice of requiring some or all commodities provided by the donor state to be procured in the donor state. This has the effect of exacerbating the food insecurity caused by international food aid.

### **1. In-Kind Food Aid is Inefficient and Causes Unnecessary Waste.**

Agreements that require food aid to be procured from the donating country prevent those who could provide it quicker from doing so. This is ineffective and creates waste. When in-kind food aid is procured in donor countries, significant costs are incurred just by shipping it to the receiving country. In the United States, the 1936 Merchant Marine Act requires 75% of all US food aid to be shipped on US flagged vessels which is increasingly expensive due to the drastic reduction of such vessels.<sup>25</sup> The result is that nearly one half of the value of US food aid is lost.<sup>26</sup>

Another result is that emergency food aid may not be received quickly enough. The delayed provision of food aid has particularly negative affects on vulnerable groups such as children and the elderly. One example of this is the response to Malawi's food crisis in 2001. After a devastatingly bad harvest, Malawi requested food assistance from the international community. When food assistance failed to arrive in the first few months of

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<sup>25</sup> *Hunger Report 2011* fn. 1.

<sup>26</sup> *Id.*

2002, hundreds of Malawians perished from starvation.<sup>27</sup> Once food did arrive, the donated food commodities flooded the regional market. The flood of donated food created a depression in the regional food market affecting not only Malawi farmers but Mozambican farmers as well.<sup>28</sup>

If donors procured food aid from markets in the receiving country or in the alternative from regional markets close to the receiving country food aid would arrive more efficiently. This would prevent food aid from being delayed and preventing prolonged starvation in emergency situations like the Malawi food crisis. It would also decrease the cost of lengthy shipping across international waters.

## **2. In-Kind Food Aid Undermines Local Food Production Threatening Long Term Sustainability.**

Voluntary Guideline 15.1 calls upon states to provide food aid in such a manner that it does not undermine local food production. Yet, the provision of in-kind food aid from donor countries compromises the right to food by undermining local farmers which leads to decreased local food production compromising the long term sustainability of food security.<sup>29</sup> This is evidenced by the fact that since the 1980's the forty nine least developed countries have shifted from being net food exporters to net food importers.<sup>30</sup>

When foreign grown food aid arrives on the markets of receiving countries either as free or subsidized imports local farmers cannot compete. This exacerbates rural poverty causing small farmers abandon their farms and move to urban areas. This undermines the long term sustainability of receiving countries food production. It also makes receiving

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<sup>27</sup> Moreu, Ioreto Ferrer. "Food Aid: How It Should Be Done". *Accounting for Hunger*. Portland, Hart Publishing. (2011) p. 260.

<sup>28</sup> *Id.*

<sup>29</sup> Mandate of the Special Rapporteur on the Right to Food. (March 2009) A/HRC/10/005.

<sup>30</sup> Moreu, Ioreto Ferrer. "Food Aid: How It Should Be Done". *Accounting for Hunger*. Portland, Hart Publishing. (2011) p. 260.

countries increasingly dependent upon food aid or foreign food imports making such countries vulnerable to international food price spikes.<sup>31</sup>

In Haiti, the provision of U.S. grown in-kind food aid has proven unable to ensure lasting food security which is essential for Haiti's realization of the right to food.<sup>32</sup> Thirty years ago, Haiti was a country that produced the majority of its own food.<sup>33</sup> Today it barely meets 40% of its domestic food needs.<sup>34</sup> This is largely in part to the subsidized food that dominates Haitian markets.

Programme food aid and emergency food aid make up the majority of the world's food aid. This aid mostly comes in the form of donor grown in-kind food aid, especially U.S. food aid which makes up 54% of the world's food aid.<sup>35</sup> In order to fulfill the international commitment to the realization of the right to food, donor countries should only provide donor-grown food aid when food commodities cannot be procured in local or regional markets. This would support small farmers who are most affected by hunger and support the local economy which in turn would increase food security. Lastly, aid should increasingly come in the form of financial investment in agriculture within receiving nations. This would increase local food production and food security. It would also allow the local purchase of culturally appropriate food, and an essential element to the realization of the right to food.

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<sup>31</sup> Moreu, loreto Ferrer. "Food Aid: How It Should Be Done". *Accounting for Hunger*. Portland, Hart Publishing (2011) p. 262.

<sup>32</sup> Sak Vid Pa Kanpe, *The Impact of U.S. Food Aid on Human Rights in Haiti*, NYU School of Law Center for Human Rights and Global Justice, Partners in Health, RFK Center for Justice and Human Rights, Zanmi Lasante. p.14.

<sup>33</sup> *Id.* at p.15.

<sup>34</sup> *Id.*

<sup>35</sup> Moreu, loreto Ferrer. "Food Aid: How It Should Be Done". *Accounting for Hunger*. Portland, Hart Publishing (2011) p. 252.

#### **IV. THE RIGHT TO FOOD AND THE LAND GRABBING PHENOMENON**

The right to food is inextricably linked to access to land. Nearly 1.5 billion people in the world depend on small sale agriculture,<sup>36</sup> the majority of which are subsistence farmers that live on less than two hectares of land.<sup>37</sup> Their right to land and ultimately food is increasingly threatened by the practice known as land grabbing. Land grabbing is the sale of large tracts of fertile land, mostly in developing countries, to large-scale agrobusiness, foreign and domestic investors and foreign governments. The land is typically sold or leased by the national government at discounted prices.<sup>38</sup> The large scale acquisition of agricultural land is often framed as a practice that utilizes countries unused agricultural potential to improve food security.<sup>39</sup> However, the reality is the implementation of large-scale industrial agricultural production dislocates small hold farmers, which in turn exacerbates rural poverty and food security.<sup>40</sup>

##### **1. Outsourcing Food Security**

One of the major motivations of land grabbing is the outsourcing of food production. Land grabbing existed in the past but exploded after the 2008 food crisis which caused cash-rich but resource poor countries to realize their limited food production.<sup>41</sup> According to the World Bank, more than 45 million hectares were acquired by such land deals between 2008 and 2009.<sup>42</sup> The result is often a shift of land and water

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<sup>36</sup> De Schutter, Oliver and Cordes, Kaitlyn Y. "Accounting for Hunger: An Introduction to the Issues." *Accounting for Hunger*. Portland, Hart Publishing (2011) at p.1

<sup>37</sup> World Bank, "World Development Report 2008: Agricultural Development." (2007) at p.3.

<sup>38</sup> *Indian Land Grab in Africa*. available at [www.countercurrents.org/goi201211.htm](http://www.countercurrents.org/goi201211.htm).

<sup>39</sup> Report of the Security General. *Agricultural Development and Food Security: Progress on the Implementaion of the Outcome of the World Food Summit on Food Security*. A/66/277. (August 2011) para.37.

<sup>40</sup> *Id.* at para. 38.

<sup>41</sup> De Schutter, Oliver and Cordes, Kaitlyn Y. "Accounting for Hunger: An Introduction to the Issues." *Accounting for Hunger*. Portland, Hart Publishing. (2011) at p.1.

<sup>42</sup> *Indian Land Grab in Africa*. available at [www.countercurrents.org/goi201211.htm](http://www.countercurrents.org/goi201211.htm).

uses from local farming to long-distance farming to meet the food and energy needs of the investing State.<sup>43</sup>

In 2009, the Mauritius government acquired a long term lease for 20,000 hectares of land in one of Mozambique's prime rice growing regions.<sup>44</sup> This transaction was done through the Ministry of Foreign Affairs and intended to grown rice to be placed on the Mauritian market. The Mauritius government then subleased the land to two large agro-industry corporations; one from Singapore and one from Swaziland. In examples such as this it is clear that the aim of the acquisitions is not the realization of food security in vulnerable countries but rather the production of food by large corporations for distribution in foreign markets. It has been said that this practice is actually the 'exporting of food security.'<sup>45</sup>

## **2. The Land Acquired is Not Infertile or Unused.**

The land that is being auctioned off is also not infertile land as companies and donating countries claim. In Ethiopia, 42% of the land in the Gambela region has been leased or is currently being marketed for lease.<sup>46</sup> The Gambella region is characterized as having "richly endowed high quality soils and water supplies" as opposed to the less fertile highlands.<sup>47</sup>

The land involved in these large land acquisitions is not unused. The land that is being auctioned off is often occupied by small farmers or indigenous people who depend

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<sup>43</sup> Mann, H. and Smaller, C. "Foreign Land Purchases for Agriculture: What Impact on Sustainable Development?" Sustainable Development Innovation Briefs. UN Department of Economics and Social Affairs no.8. (2010) at para.1-2.

<sup>44</sup> GRAIN, "The New Farm Owners" (2009) available at <http://www.grain.org/article/entries/194-the-new-farm-owners>.

<sup>45</sup> *Id.*

<sup>46</sup> *Indian Land Grab in Africa*. available at [www.countercurrents.org/goi201211.htm](http://www.countercurrents.org/goi201211.htm)

<sup>47</sup> Central Statistical Authority, "2007 Gambella Census," available at [http://www.csa.gov.et/suveys/population%20population%20and%20housing%20census%20201994/survey/data/docs%5Creport%5CStatistical\\_Report%5CK03%5Cko\\_part1.pdf](http://www.csa.gov.et/suveys/population%20population%20and%20housing%20census%20201994/survey/data/docs%5Creport%5CStatistical_Report%5CK03%5Cko_part1.pdf)

upon the land for their livelihood. Due to complex land laws and skirting of national law these people are especially vulnerable when their land is sold or leased by the national government.<sup>48</sup>

### **3. Forced Evictions and the Right to Food**

In 2010, 3,500 families or 17,000 individuals were affected by land grabbing in thirteen out of fourteen surveyed provinces in Cambodia.<sup>49</sup> In the province of Kampong Som, 116 families were forcibly evicted from their land by company guards and government soldiers. The families were given little notice that their land was being confiscated and four people were injured by company guards and governmental soldiers.

This practice is a violation of the State's obligation to respect the right to food by not implementing any measure which results in preventing the population's access to food. Many of those forcibly evicted by their land are subsistence farmers and by denying them access to their land, the government prevents their access to food. Further, the practice is a violation of the State's obligation to protect the right to food from third parties because it is private actors as well as public actors that implement forced evictions.

In Ethiopia, the government has implemented a 'villagization program'. Villagization is defined as "the clustering of agro-pastoral and/or shifting cultivator populations into more permanent, sedentary settlements."<sup>50</sup> The government denies that the program is a result of large land sales to foreign and domestic investors. However, those affected have been told by local government officials that the underlying reason for

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<sup>48</sup> Poverty Assessment; prepared for Consultative Group Meeting by World Bank, Phnom Penh. (February 2006) at p.85.

<sup>49</sup> Human Rights Watch: "*World Report 2011: Cambodia*." available at [http://www.hrw.org/world\\_report\\_2011/cambodia](http://www.hrw.org/world_report_2011/cambodia).

<sup>50</sup> Human Rights Watch Report. "*Waiting Here for Death*." (January 2012) at p.16.

the villiagization program was to facilitate such land deals. Human Rights Watch researchers were told the same thing by former local government officials.<sup>51</sup>

Additionally, the Oakland Institute found that the land in question was being awarded to large scale foreign investors, small scale Ethiopian or diaspora investors without consultation or compensation.<sup>52</sup>

In 2011, 70,000 people from the Gambella region were forcibly relocated as a part of this program. Those affected were shifting cultivators and pastoralist populations.<sup>53</sup> Shifting cultivators rely on the affected land to plant different crops in different areas and will now be forced to plant single crops in a single location. The pastoralists have relied on the land in order to graze their cattle which is their livelihood. The areas of relocation do not have sufficient water sources for their cattle during the dry season and as a result, those relocated will no longer be able to rely on their traditional means of food production.

The government conducted initial meetings with those who were to be affected in mid-2010.<sup>54</sup> When people objected to the relocations the next meetings were characterized by threats and intimidations. There were visits from the army, police, local militias and government officials. A person interviewed by Human Rights Watch said that those who refused to relocate had their houses burned down by soldiers. Crops were destroyed.”<sup>55</sup>

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<sup>51</sup> *Id.*

<sup>52</sup> Oakland Institute, “*Understanding Land Investment Deals in Africa.*” available at <http://www.media.oaklandinstitute.org/understanding-land-investment-deals-in-africa> .

<sup>53</sup> Human Rights Watch Report. “*Waiting Here for Death.*” (January 2012) at p.16.

<sup>54</sup> *Id.* at p.30-31.

<sup>55</sup> *Id.* at 20.

Such intimidation and violence is often associated with forced evictions. In Senegal, the government granted 20,000 hectares to an Italian business.<sup>56</sup> The land deal would displace whole villages and grazing areas needed for cattle. When a group of farmers opposed the land deal, one farmer was killed and twenty one others were injured.<sup>57</sup> In Argentina, a man who opposed a similar project was shot and killed by two masked men in front of his home.<sup>58</sup> Such intimidation and violence contributes to the denial of the right to food because it effectively silences those who attempt to protect access to their lands and food sources.

Compounding the problem of land grabbing is the fact that those who are evicted from their lands are rarely consulted or given compensation. In Cambodia, human rights group LICHADO found that even when land is given as compensation it is infertile, littered with land mines and or without a near water source.<sup>59</sup> Similarly, people in Ethiopia are being relocated to new villages that are without adequate food, agricultural support or basic facilities.<sup>60</sup> As a result, the relocated populations are facing hunger and starvation.<sup>61</sup>

#### **4. Land Grabbing and Indigenous Peoples' Right to Food**

Land grabbing is particularly devastating to indigenous people who have a unique relationship to their ancestral lands. Indigenous peoples' right to food often depends directly on their access and control of their lands. For example, in the Gambella region, the Anuek are indigenous people who depend upon the land for their traditional practice

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<sup>56</sup> GRAIN, "*Grain Calls for End to Land Grabbing at Swedish Parliament.*" (December 2011) available at <http://www.grain.org/article/entries/4422-grain-calls-for-end-to-land-grabbing-at-swedish-parliament>

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

<sup>59</sup> LICHADO, Briefing Paper. *Harmful Effects of Economic Land Concessions on Poor Cambodians.* (2005)

<sup>60</sup> Human Rights Watch Report. "*Waiting Here for Death.*" (January 2012)

<sup>61</sup> *Id.*

of shifting cultivation. However, their way of life and food traditions is being destroyed by Ethiopia's villagization program.

The Declaration on the Rights of Indigenous Peoples calls upon States to take measures to protect indigenous peoples' right over their lands and resources and limits the activities of third parties on indigenous territories without their consent. It is necessary for the universal realization of the right to food that these obligations are fulfilled. States should incorporate these obligations into their national laws as both Bolivia and Ecuador have.<sup>62</sup>

## **V. RECOMMENDATIONS**

1. States must ensure access to food by mandating adequate minimum wage and social security.
2. States should work with donating countries to make sure all forms of food aid are culturally adequate taking into consideration populations' age, living conditions, religion, age, sex and occupation.
3. Donating States should only provide donor grown in-kind food aid when local and regional markets are incapable of meeting local populations' food needs.
4. When providing in-kind food aid, donating States should first try to procure food from local and regional markets. This will provide necessary food commodities as well as support local agriculture which leads to long term food sustainability. It will also reduce the inefficiency and waste that plagues current food aid practices.
5. Food aid should increasingly take the form of investment in local and small scale food production. This will lead to long term economic and food sustainability.
6. National and international policies of transparency and local participation must be an integral part of any large scale land acquisition.
7. Those who are denied access to land and food as a result of large scale land acquisitions must be given proper recourse.

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<sup>62</sup> United Nations Fact Sheet #34 at p. 13.